

7457. Misbranding of Santal Midy. U. S. * * * v. 24 Bottles * * *
Santal Midy. Default decree of condemnation, forfeiture, and de-
struction. (F. & D. No. 10678. I. S. No. 6985-r. S. No. C-1326.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 bottles of Santal Midy, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about May 27, 1919, by E. Fougera & Co., New York, N. Y., and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On bottle) "Santal Midy Capsules * * * Sandal-Wood Oil Distilled by Midy's Process Bottled in the New York Laboratories of Dr. Ph. Chapelle * * * L. Midy, Pharmacien De 1^{re} Classe Dépôt Dans Les Principales Pharmacies Dr. Ph. Chapelle Ancienne Maison Grimault & Cie, 8 rue Vivienne, Paris. * * *;" (in circular) "Santal Midy * * * Essential oil of Sandalwood * * * in the treatment of gonorrhoea, gleet and discharges from the urinary organs * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles containing it and the circulars wrapped about and enclosing the bottles bore certain statements regarding the therapeutic or curative effects of the article for the treatment of gonorrhoea, gleet, discharges from the urinary organs, inflammation of the bladder, suppurative nephritis, catarrh of the bladder, vesical catarrh of old age, and certain other diseases, that the product consisted of santal oil, and that said statements were false and fraudulent in that the article did not contain any ingredients or combination of ingredients capable of producing the results or effects claimed for it.

On August 6, 1919, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7458. Misbranding of Knoxit Liquid and Knoxit Globules. U. S. * * *
v. 8 Bottles of Knoxit Liquid and 10 Bottles of Knoxit Globules.
Default decree of condemnation, forfeiture, and destruction. (F.
 & D. No. 10442. I. S. Nos. 12935-r, 13936-r. S. No. E-1457.)

On May 28, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 bottles of Knoxit Liquid and 10 bottles of Knoxit Globules, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 15, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Bottle of liquid) "Knoxit the Great Prophylactic for Inflammation of Mucous Membranes;" (carton for globules) "Knoxit Globules Cystitis;" (bottle of globules) "Knoxit Globules Cystitis. Especially prepared for those who desire internal treatment;" (circular, English) "Knoxit Globules for the treatment of Inflammation of the Mucous Membranes;" (circular, French, Spanish, Italian, Portuguese, etc.) "Knoxit Globules. This preparation * * * especially prepared with the view of not only curing Gonorrhoea and Blennorrhoea, but to

have at the same time an action soothing and efficacious on the kidneys and bladder."

Misbranding of the articles was alleged in substance in the libel for the reason that they were not capable of producing the therapeutic and curative effects claimed for them on the labels, cartons, leaflets, and circulars, borne [on], and contained in the packages containing the articles, and that said statements were false and fraudulent, and that said bottles, labels, cartons, leaflets, and circulars contained certain statements as to the curative and therapeutic effects of said drugs and of the ingredients and substances contained therein as a prophylactic for the mucous membranes and for the treatment or cure of cystitis, gonorrhœa, and blennorrhœa, having at the same time an action soothing and efficacious on the kidneys and bladder, whereas, in truth and in fact, the said products consisted (for the liquid) essentially of zinc acetate, hydrastine, berberine, and glycerin, and (for the globules) essentially of copaiba and oil of cassia, and contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for them.

On June 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7459. Adulteration and misbranding of cocoa. U. S. * * * v. 814 Pounds, etc., of My Own Cocoa. Default decrees of condemnation, forfeiture and sale. (F. & D. Nos. 10679, 10680, 10681, 10682, 10683, 10684, 10685, 10686, 10687, 10688, 10689, 10690, 10691. I. S. Nos. 15790-r, 15791-r. S. No. E-1562.)

On June 24, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 13 libels praying the seizure and condemnation of approximately 814 pounds, in $\frac{1}{2}$ - and $\frac{1}{4}$ -pound cartons, of My Own Cocoa, consigned on March 26, 1919, remaining unsold in the original unbroken packages at Cumberland, Md., alleging that the article had been shipped by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "My Own Cocoa Valuable Premiums Gold Medals My Own Pure Cocoa The Cocoa contained in this package is Positively High Grade * * *;" (stamped in illegible type) "My Own Cocoa Compound contains corn starch, cocoa, sugar. Net weight $\frac{1}{4}$ lb." (in case of $\frac{1}{4}$ -pound packages) and " $\frac{1}{2}$ lb." (in case of $\frac{1}{2}$ -pound packages).

Adulteration of the article was alleged in the libels for the reason that certain substances, to wit, sugar and starch, had been mixed and packed with, and substituted wholly or in part for, the article, and for the further reason that the product was mixed in a manner whereby its inferiority to pure cocoa was concealed.

Misbranding of the article was alleged for the reason that the statements, designs, and devices appearing on the label on the cartons containing the article, to wit, "Cocoa," "Pure Cocoa," and "The Cocoa contained in this package is Positively High Grade * * *," in conspicuous type, not corrected by the labeling, in inconspicuous type and practically illegible, "My Own Cocoa Compound contains corn starch, cocoa, sugar," were false and misleading and misled and deceived the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article. Misbranding of the article was alleged for the further reason that it